

## **DETAILED ACTION**

### ***Terminal Disclaimer***

1. The terminal disclaimer filed on 08/03/2011 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 7,613,874 has been approved.

### ***Allowable Subject Matter***

2. Claims 1, 9, 18-21 are allowed.

### ***Election/Restrictions***

3. This application contains claims 3-8 and 10-17, drawn to an invention nonelected with traverse in the reply filed on 04/03/2009. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**4. Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Takano (US 5,448,728)** in view of **Hwang (US 2004/0246852)** and **Ko (US 2004/0228238)**.

**Regarding claim 22,**

Takano teaches an optical disc comprising a data area configured to allocate one or more sequential recording ranges **(figure 2)** in a sequential recording mode in which data is recorded sequentially onto sequential recording ranges wherein each of the sequential recording ranges is one of an open sequential recording range having a next writable area and a closed sequential recording range having no writable area **(see the discussion of non-writing state i.e., “open” sequential recording range in column 6, lines 17-23)**; wherein if the overwrite is requested in an open sequential

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recording range, a next writable area within the open sequential recording range is identified as the replacement recording area **(column 5, line 64 – column 6, line 10).**

Takano fails to expressly teach that location information of the overwrite-requested area and the replacement-recorded area is recorded in a temporary management area.

**HWANG** teaches an overwrite method **[0012]** wherein one of a space bit map SBM **[0053]** and the TDDS/TDFL **[0054]** comprise location information for logically overwritten and replacement areas **[0034].**

It would have been obvious for one of ordinary skill in the art at the time of the invention to alter Takano, per the disclosure of Hwang, for the purpose of specifying the position of all distinct areas of the disc, including the overwrite area, at the initialization of the disc.

Takano fails to teach that recording mode information, including the sequential recording mode, is recorded in a management area of the optical disc.

**KO** teaches that a recording management area may include general information comprising the recording mode of a disc. While Ko does not distinguish between a “temporary” management area and a management area, per se, the temporary management area of the claim is drawn to a

At the time of the invention, it would be obvious for one of ordinary skill in the art to modify the overwrite system of Takano per the teachings of Ko such that the recording method which is associated with a particular disc may be read from the disk management area, thereby enabling a reproduction apparatus to reproduce data from the storage medium according to how data has been recorded thereon.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims previously rejected have been considered. A new ground(s) of rejection has been provided, above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIONNE PENDLETON whose telephone number is (571)272-7497. The examiner can normally be reached on 10:00-6:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR

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CANADA) or 571-272-1000.

/Dionne H Pendleton/  
Examiner, Art Unit 2627

/Wayne Young/  
Supervisory Patent Examiner, Art Unit 2627